MASSACHUSETS BAY

CHARTER,

Granted by King WILLIAM and Queen MARY, in the Third Year of their Reign.

Septima pars Patentium, de Anno Regni Regis GULIELMI *Tertii, &* MARIÆ *Regniæ Tertio.*

WILLIAM and MARY, by the Grace of God, &c. to all to whom theſe Preſents ſhall come, Greeting. Whereas his late Majeſty King James the Firſt, Our Royal Predeceſſor, by his letters patents under the Great Seal of England, bearing date at Weſtminſter the third day of November in the eighteenth year of his reign, did give and grant unto the Council eſtabliſhed at Plymouth in the county of Devon for the planting, ruling, ordering, and governing of New England in America, and to their Succeſſors and Aſſigns, all that part of America lying and being in breadth from forty degrees of Northerly latitude from the Equinoctical line, to the forty-eighth degree of the ſaid Northerly latitude incluſively, and in length of and within all the breadth aforeſaid, throughout all the main lands from ſea to ſea; together with all the firm lands, ſoils, grounds, havens, ports, rivers, waters, fiſhings, mines and minerals, as well royal mines of gold and ſilver, as other mines and minerals, precious ſtones, quarries, and all and ſingular other commodities, juriſdictions, royalties, privileges, franchiſes and pre-eminences, both within the ſaid tract of land upon the main, and alſo within the iſlands and ſeas adjoining; provided always, that the ſaid lands, iſlands, or any the premiſes by the ſaid letters patents intended and meant to be granted, were not then actually poſſeſſed or inhabited by any other chriſtian Prince or State, or within the bounds, limits or territories of the Southern Colony then before granted by the ſaid late King James the Firſt, to be planted by divers of his ſubjects in the South parts: To have and to hold, poſſeſs and enjoy all and ſingular the aforeſaid continent, lands, territories, iſlands, hereditaments and precincts, ſeas, waters, fiſhings, with all and all manner of their commodities, royalties, liberties, pre-eminences and profits that ſhould from thenceforth ariſe from thence, with all and ſingular their appurtenances, and every part and parcel thereof, unto the ſaid Council, and their Succeſſors and Aſſigns, for ever, to the ſole and proper uſe and benefit of the ſaid Council, and their Succeſſors and Aſſigns for ever: To be holden of his ſaid late Majeſty King James the Firſt, his Heirs and Succeſſors, as of his manor of Eaſt Greenwich in the county of Kent, in free and common ſoccage, and not *in capite*, nor by Knights ſervice: Yielding and paying therefore to the ſaid late King, his Heirs and Succeſſors, the fifth part of the ore of gold and ſilver, which ſhould, from time to time, and at all times then after, happen to be found, gotten, had and obtained in, at, or within any of the ſaid lands, limits, territories or precincts, or in or within any part or parcel thereof, for or in reſpect of all and all manner of duties, demands and ſervices whatſoever to be done, made or paid to the ſaid late King James the Firſt, his Heirs and Succeſſors; as in and by the ſaid letters patents amongſt ſundry other clauſes, powers, privileges, and grants therein contained more at large appeareth: And whereas the ſaid Council eſtabliſhed at Plymouth, in the county of Devon, for the planting, ruling, ordering and governing of New England in America, did by their deed indented under their common Seal, bearing date the nineteenth day of March in the third year of the reign of Our Royal Grandfather King Charles the Firſt, of ever bleſſed memory, give, grant, bargain, ſell, infeoff, alien and confirm to Sir Henry Roſwell, Sir John Young, Knights, Thomas Southcott, John Humphreys, John Endicott, and Simond Whetcombe, their Heirs and Aſſigns, and their aſſociates for ever, all that part of New England in America aforeſaid, which lies and extends between a great river there commonly called Monomack alias Merrimack, and a certain other river there called Charles river, being a bottom of a certain Bay there commonly called Maſſachuſets alias Mattachuſets alias Maſſatuſets Bay; and alſo all and ſingular thoſe lands and hereditaments whatſoever lying within the ſpace of three Engliſh miles on the South part of the ſaid Charles River, or of any and every part thereof; and alſo all and ſingular the lands and hereditaments whatſoever, lying and being within the ſpace of three Engliſh miles to the Southward of the Southermoſt part of the ſaid Bay called the Maſſachuſets alias Mattathuſets alias Maſſatuſets Bay; and alſo all thoſe lands and hereditaments whatſoever which lie and be within the ſpace of three Engliſh miles to the Northward of the ſaid river called Monomack alias Merrimack, or to the Northward of any and every part thereof; and all lands and hereditaments whatſoever lying within the limits aforeſaid, North and South in latitude, and in breadth and in length and longitude, of and within all the breadth aforeſaid throughout the main lands there from the Atlantick and Weſtern ſea and ocean on the Eaſt part, to the

South ſea on the Weſt part; and all lands and grounds, place and places, ſoil, woods and wood-grounds, havens, ports, rivers, waters, fiſhings and hereditaments whatſoever, lying within the ſaid bounds and limits, and every part and parcel thereof; and alſo all iſlands lying in America aforeſaid, in the ſaid ſeas, or either of them, on the Weſtern or Eaſtern coaſts or parts of the ſaid tracts of land by the ſaid indenture mentioned to be given and granted, bargained, ſold, enfeoffed, aliened and confirmed, or any of them; and alſo all mines and minerals, as well royal mines of gold and ſilver, as other mines and minerals whatſoever in the ſaid lands and premiſſes, or any part thereof; and all juriſdictions, rights, royalties, liberties, freedoms, immunities, privileges, franchiſes, pre-eminences and commodities whatſoever, which they the ſaid Council eſtabliſhed at Plymouth, in the county of Devon, for the planting, ruling, ordering and governing of New England in America, then had or might uſe, exerciſe or enjoy, in or within the ſaid land and premiſes, by the ſame indenture mentioned to be given, granted, bargained, ſold, enfeoffed and confirmed in or within any part or parcel thereof; to have and to hold the ſaid part of New England in America, which lies and extends, and is abutted as aforeſaid, and every part and parcel thereof, and all the ſaid iſlands, rivers, ports, havens, waters, fiſhings, mines, minerals, juriſdictions, franchiſes, royalties, liberties, privileges, commodities, hereditaments and premiſes whatſoever, with the appurtenances, unto the ſaid Sir Henry Roſwell, Sir John Young, Thomas Southcott, John Humphreys, John Endicott, and Simond Whetcombe, their Heirs and Aſſigns, and their aſſociates for ever, to the only proper and abſolute uſe and behoof of the ſaid Sir Henry Roſwell, Sir John Young, Thomas Southcott, John Humphreys, John Endicott, and Simond Whetcombe, their Heirs and Aſſigns, and their aſſociates for evermore; to be holden of Our ſaid Royal Grandfather King Charles the Firſt, his Heirs and Succeſſors, as of his manor of Eaſt Greenwich in the county of Kent, in free and common ſoccage, and not *in capite*, nor by Knights ſervice: yielding and paying therefore unto Our ſaid Royal Grandfather, his Heirs and Succeſſors, the fifth part of the ore of gold and ſilver, which ſhould, from time to time, and at all times hereafter, happen to be found, gotten, had and obtained in any of the ſaid lands within the ſaid limits, or in or within any part thereof, for and in ſatisfaction of all manner of duties, demands and ſervices whatſoever to be done, made or paid to Our ſaid Royal Grandfather, his Heirs or Succeſſors, (as in and by the ſaid recited indenture may more at large appear): And whereas Our ſaid Royal Grandfather, in and by his letters patents under the Great Seal of England, bearing date at Weſtminſter the fourth day of March in the fourth year of his reign, for the conſideration therein mentioned, did grant and confirm unto the ſaid Sir Henry Roſwell, Sir John Young, Tho. Southcott, John Humphreys, John Endicott and Simond Whetcombe, and to their aſſociates after named; viz. Sir Ralph Saltenſtall, Knight, Iſaac Johnſon, Samuel Alderſay, John Ven, Matthew Craddock, George Harwood, Increaſe Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vaſſal, Theophilus Eaton, Thomas Golſe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vaſſal, William Pincheon, and George Foxcroft, their Heirs and Aſſigns, all the ſaid part of New England in America, lying and extending between the bounds and limits in the ſaid indenture expreſſed, and all lands and grounds, place and places, ſoils, woods and wood-grounds, havens, ports, rivers, waters, mines, minerals, juriſdictions, rights, royalties, liberties, freedoms, immunities, privileges, franchiſes, pre-eminences and hereditaments whatſoever, bargained, ſold, enfeoffed and confirmed, or mentioned or intended to be given, granted, bargained, ſold, enfeoffed, aliened and confirmed to them the ſaid Sir Henry Roſwell, Sir John Young, Thomas Southcort, John Humphrey, John Endicott and Simond Whetcombe, their Heirs and Aſſigns, and to their aſſociates for ever, by the ſaid recited indenture; to have and to hold the ſaid part of New England in America; and other the premiſes thereby mentioned to be granted and confirmed, and every part and parcel thereof, with the appurtenances, to the ſaid Sir Henry Roſwell, Sir John Young, Sir Richard Saltenſtall, Thomas Southcott, John Humphry, John Endicott, Simond Whetcombe, Iſaac Johnſon, Samuel Alderſey, John Ven, Matthew Craddock, George Harwood, Increaſe Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vaſſall, Theophilus Eaton, Thomas Golſe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vaſſall, William Pincheon and George Foxcroft, their Heirs and Aſſigns for ever, to their only proper and abſolute uſe and behoof for evermore; to be holden of Our ſaid Royal Grandfather, his Heirs and Succeſſors, as of his manor of Eaſt Greenwich aforeſaid, in free and common ſoccage, and not *in capite*, nor in Knights ſervice; and alſo yielding and paying therefore to Our ſaid Royal Grandfather, his Heirs and Succeſſors, the fifth part only of all the ore of gold and ſilver, which from time to time, and all times after, ſhould be there gotten, had or obtained, for all ſervices, exactions and demands whatſoever, according to the tenor and reſervation in the ſaid receited indenture expreſſed. And further our ſaid Royal Grandfather, by the ſaid letters patents, did give and grant unto the ſaid Sir Henry Roſwell, Sir John Young, Sir Richard Saltenſtall, Thomas Southcott, John Humphreys, John Endicott, Symond Whetcombe, Iſaac Johnſon, Samuel Alderſey, John Ven, Matthew Craddock, George Harwood, Increaſe Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vaſſall, Theophilus Eaton, Thomas Golſe, Thomas Adams, John Brown, Samuel Brown, Thomas Hutchins, William Vaſſall, William Pincheon and George Foxcroft, their Heirs and Aſſigns, all that part of New England in America which lies and extends between a great river there, commonly called Monomack alias Merrimack River, and a certain other river there, called Charles River, being in the bottom of a certain bay there, commonly called Maſſachuſetts alias Mattachuſets alias

alias Maſſatuſetts Bay, as alſo thoſe and ſingular thoſe lands and hereditaments whatſoever, lying within the ſpace of three Engliſh miles on the South part of the ſaid river called Charles River, or of any or every part thereof; and alſo and ſingular thoſe lands and hereditaments whatſoever, lying and being within the ſpace of three Engliſh miles to the Southward of the Southermoſt part of the ſaid bay, called Maſſachuſetts alias Mattachuſets alias Maſſatuſetts Bay; and alſo all thoſe lands and hereditaments whatſoever, which lie and be within the ſpace of three Engliſh miles to the Northward of the ſaid river, called Monnomack alias Merrimack, or to the Northward of any and every part thereof, and all lands and hereditaments whatſoever, lying within the limits aforeſaid, North and South in latitude, and in breadth and in length in longitude, of and within all the breadth aforeſaid, throughout the main lands there, from the Atlantick or Weſtern ſea and ocean, on the Eaſt part, to the South-Sea on the Weſt part; and all lands and grounds, place and places, ſoils, woods and wood lands, havens, ports, rivers, waters and hereditaments whatſoever, lying within the ſaid bounds and limits, and every part and parcel thereof; and alſo all iſlands in America aforeſaid, in the ſaid ſeas, or either of them, or the Weſtern or Eaſtern coaſts, or parts of the ſaid tracts of lands thereby mentioned to be given and granted, or any of them; and all mines and minerals, as well royal mines of gold and ſilver, as other mines and minerals whatſoever, in the ſaid lands and premiſes, or any part thereof; and free liberty of fiſhing in or within any of the rivers or waters within the bounds and limits aforeſaid, and the ſeas thereunto adjoining; and all fiſhes, royal fiſhes, whales, balene, ſturgeons, and other fiſhes of what kind or nature ſoever, that ſhould at any time hereafter be taken in or within the ſaid ſeas or waters, or any of them, by the ſaid Sir Henry Roſwell, Sir John Young, Sir Richard Saltenſtall, Thomas Southcott, John Humphreys, John Endicott, Symond Whetcombe, Iſaac Johnſon, Samuel Alderſey, John Ven, Matthew Craddock, George Harwood, Increaſe Nowel, Richard Bellingham, Thomas Wright, Samuel Vaſſall, Theophilus Eaton, Thomas Golſe, Thomas Adams, John Brown, Samuel Browne, Tho Hutchins, William Vaſſal, William Pincheon and George Foxcroft, their Heirs or Aſſigns, or by any other perſon or perſons whatſoever there inhabiting, by them, or any of them, to be appointed to fiſh therein. Provided always, that if the ſaid lands, iſlands, or any the premiſes before-mentioned, and by the ſaid letters patents laſt mentioned, intended and meant to be granted, were at the time of the granting the ſaid former letters patents, dated the third day of November, in the eighteenth year of the reign of his late Majeſty King James the Firſt, actually poſſeſſed or inhabited by any other chriſtian Prince or State, or were within the bounds, limits or territories of the ſaid Southern Colony then before granted by the King, to be planted by divers of his loving ſubjects in the South parts of America, that then the ſaid grant of Our ſaid Royal Grandfather ſhould not extend to any ſuch parts or parcels thereof, ſo formerly inhabited or lying within the bounds of the Southern Plantation as aforeſaid; but as to thoſe parts or parcels ſo poſſeſſed or inhabited by any ſuch chriſtian Prince or State, or being within the boundaries aforeſaid, ſhould be utterly void; to have, hold, poſſeſs and enjoy the ſaid parts of New-England in America, which lie, extend, and are abetted as aforeſaid, and every part and parcel thereof, and all the iſlands, rivers, ports, havens, waters, fiſhings, fiſhes, mines, minerals, juriſdictions, franchiſes, royalties, liberties, privileges, commodities and premiſes whatſoever, with the appurtenances, unto the ſaid Sir Henry Roſwell, Sir John Young; Sir Richard Saltenſtall, Thomas Southcott, John Humphreys, John Endicott, Symond Whetcombe, Iſaac Johnſon, Samuel Alderſey, John Ven, Matthew Craddock, George Harwood, Increaſe Nowel, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vaſſall, Theophilus Eaton, Thomas Golſe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vaſſal, William Pincheon, and George Foxcroft, their Heirs and Aſſigns for ever, to the only proper and abſolute uſe and behoof of the ſaid Sir Henry Roſwell, Sir John Young, Sir Richard Saltenſtall, Thomas Southcott, John Humphreys, John Endicott, Symond Whetcombe, Iſaac Johnſon, Samuel Alderſey, John Ven, Matthew Craddock, George Harwood, Increaſe Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vaſſall, Theophilus Eaton, Thomas Golſe, Thomas Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vaſſall, William Pincheon, and George Foxcroft, their Heirs and Aſſigns for evermore; to be holden of our ſaid Royal Grandfather, his Heirs and Succeſſors, as of his manor of Eaſt Greenwich in the county of Kent, within the realm of England, in free and common ſoccage, and not *in capite*, nor by Knights ſervice; and alſo yeilding and paying thereof to Our ſaid Royal Grandfather, his Heirs and Succeſſors, the fifth part only of all the ore of gold and ſilver, which from time to time, and at all times hereafter, ſhould be gotten, had or obtained, for all ſervices, exactions and demands whatſoever: Provided always, and his Majeſty's expreſs will and meaning was, that only that one fifth part of all the gold and ſilver ore abovementioned in the whole, and no more, ſhould be anſwered, reſerved or payable unto our ſaid Royal Grandfather, his Heirs and Succeſſors, by colour or virtue of the ſaid laſt-mentioned letters patents, the double reſervations or recitals aforeſaid, or any thing therein contained notwithſtanding: And to the end that the affairs and buſineſs, which from time to time ſhould happen and ariſe, concerning the lands and plantations of the ſame, might be the better managed and ordered, and for the good government thereof, Our ſaid Royal Grandfather, King Charles the firſt, did, by his ſaid letters patent, create and make the ſaid Sir Henry Roſwell, Sir John Young, Sir Richard Saltenſtall, Thomas Southcott, John Humphreys, John Endicott, Symond Whetcombe, Iſaac Johnſon, Samuel Alderſey, John Ven, Matthew Craddock, George Harwood, Increaſe Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vaſſall, and Theophilus Eaton, Thomas Golſe, Thomas Adams,

Adams, John Browne, Samuel Browne, Thomas Hutchins, William Vaſſall, William Pincheon and George Foxcroft, and all ſuch others as ſhould thereafter be admtted and made free of the company and Society therein after-mentioned, one body corporate and politick in fact and name, by the name of the Governor and Company of the Maſſachuſetts Bay in New-England; and did grant unto them, and their Succeſſors, divers powers liberties and privileges, as in and by the ſaid letters patents may more fully and at large appear: And whereas the ſaid Governor and Company of the Maſſachuſets Bay in New England, by virtue of the ſaid letters patents, did ſettle a Colony of the Engliſh in the ſaid parts of America, and divers good ſubjects of this kingdom, encouraged and invited by the ſaid letters patents, did tranſport themſelves and their effects into the ſame, whereby the ſaid plantation did become very populous; and divers counties, towns and places were created, erected, named, ſet forth, or deſigned, within the ſaid parts of America, by the ſaid Governor and Company for the time being: And whereas in the term of the Holy Trinity, in the thirty-ſixth year of the reign of Our deareſt uncle King Charles the Second, a judgment was given in Our Court of Chancery, then ſitting at Weſtminſter, upon a writ of ſcire Facius, brought and proſecuted in the ſaid Court, againſt the Governor and Company of the Maſſachuſetts Bay in New England; and that the ſaid letters patents of Our ſaid Royal Grandfather King Charles the firſt, bearing date at Weſtminſter the fourth day of March in the Fourth year of his reign, made and granted to the ſaid Governor and Company of the Maſſachuſetts Bay in New England, and the enrollment of the ſame ſhould be cancelled, vacated, and annihilated, and ſhould be brought into the ſaid Court to be cancelled (as in and by the ſaid judgment remaining upon record in the ſaid Court doth more at large appear:) And whereas ſeveral perſons employed as Agents in behalf of Our ſaid Colony of the Maſſachuſetts Bay in New England have made their humble application unto Us, that We would be graciouſly pleaſed by our Royal Charter, to incorporate Our ſubjects in Our ſaid Colony, and to grant and confirm unto them ſuch powers, privileges and franchiſes, as in Our Royal wiſdom ſhould be thought moſt conducing to Our intereſt and ſervice, and to the welfare and happy ſtate of Our ſubjects in New-England; and We being graciouſly pleaſed to gratify our ſaid ſubjects, and alſo to the end Our good ſubjects within Our Colony of New Plymouth in New England aforeſaid, may be brought under ſuch a form of Government as may put them in a better condition of defence; and conſidering the granting, as well unto them as unto Our ſubjects in the ſaid Colony of the Maſſachuſetts Bay, Our Royal Charter, with reaſonable powers and privileges, will much tend, not only to the ſafety, but to the flouriſhing eſtate of Our ſubjects in the ſaid parts of New England; and alſo to the advancing the ends for which the ſaid plantations were at firſt encouraged, of Our eſpecial grace, certain knowledge, and mere motion, have willed and ordained, and We do by theſe preſents for Us, Our Heirs and Succeſſors, will and ordain, That the Territories and colonies, commonly called or known by the names of the Colony of the Maſſachuſetts Bay, and Colony of New-Plymouth, the Province of Main, the Territory called Accadia, or Nova-Scotia, and all that tract of land lying between the ſaid Territories of Nova-Scotia and the ſaid province of Main, be united, erected, and incorporated; and We do by theſe preſents unite, erect, and incorporate the ſame into one real Province, by the name of Our Province of the Maſſachuſetts Bay in New England; and of Our ſpecial grace, certain knowledge, and mere motion, We have given and granted, and by theſe preſents for Us, Our Heirs and Succeſſors, do give and grant, unto Our ſaid Subjects, the inhabitants of Our ſaid Province or Territory of the Maſſachuſetts Bay, and their Succeſſors, all that part of New England in America, lying and extending from the great river commonly called Monomack alias Merrimack and the North part, and from three miles northward of the ſaid river, to the Atlantick or weſtern ſea or ocean on the ſouth part; and all the lands and hereditaments whatſoever lying within the limits aforeſaid, and extending as far as the uttermoſt points or promontories of land called Cape Cod and Cape Malabar north and ſouth, and in latitude, breadth, and in length and longitude, of and within all the breadth and compaſs aforeſaid, throughout the Main land there, from the ſaid Atlantick or Weſtern Sea and ocean on the eaſt part, towards the South Sea or Weſtward as far as our Colonies of Rhode Iſland, Connecticut, and the Narrowganſet country, and alſo that part and portion of Main land beginning at the entrance of Piſcataway harbour, and ſo paſs up the ſame into the river of Newickewannocke, and through the ſame into the furtheſt head thereof, and from thence North-weſtward till One hundred and Twenty miles be finiſhed, and from Piſcataway harbour mouth aforeſaid, North-eaſtward along the ſea coaſt to Sagadehock, and from the period of One hundred and Twenty miles aforeſaid, to croſs over land to the One hundred and Twenty-miles before reckoned up into the lands from Piſcataway harbour through Newickannocke river, and alſo the North half of the Iſles of Shoals, together with the Iſles of Chappawock and Nantuckett near Cape Cod aforeſaid, and alſo the lands and hereditaments lying and being in the Country or Territory commonly called Accadia or Nova-Scotia; and all thoſe lands and hereditaments lying and extending between the ſaid Country or Territory of Nova Scotia and the ſaid river of Sagadahock, or any part thereof; and all lands, grounds, places, ſoils, woods and wood-grounds, havens, ports, rivers, waters, and other hereditaments and premiſes whatſoever, lying within the ſaid bounds and limits aforeſaid, and every part and parcel thereof; and alſo all Iſlands and Iſlets lying within ten leagues directly oppoſite to the main land within the ſaid bounds, and all Mines and Minerals, as well Royal Mines of gold and ſilver, as other Mines and Minerals whatſoever in the ſaid lands and premiſes, or any part thereof, to have and to hold the ſaid Territories, Tracts, countries, lands hereditaments, and all and ſingular other the premiſes, with their and every of their appurtenances, to Our ſaid ſubjects, the inhabitants of Our ſaid province of the Maſſachuſetts Bay in New-England,

and

and their Succeſſors, to their only proper uſe and behoof for evermore, to be holden of Us, Our Heirs and Succeſſors, as of Our Manor of East Greenwich in the county of Kent, by fealty only, in free and common ſoccage, yielding and paying therefore yearly, to Us, Our Heirs and Succeſſors, the fifth part of all gold and ſilver ore and precious ſtones, which ſhall from time to time, and at all times hereafter, happen to be found, gotten, had and obtained, in any of the ſaid lands and premiſes, or within any part thereof; Provided nevertheleſs, and We do for Us, Our Heirs and Succeſſors, grant and ordain, that all and every ſuch lands, tenements, and Hereditaments, and other eſtates, which any perſon or perſons, or bodies politick or corporate, towns, villages, colleges, or ſchools, do hold and enjoy, or ought to have, hold and enjoy, within the bounds aforeſaid, by or under any grant or eſtate duly made or granted by any General Court formerly held, or by virtue of the letters patents herein before recited, or by any other lawful right or title whatſoever, ſhall be by ſuch perſon and perſons, bodies politick and corporate, towns, villages, colleges or ſchools, their reſpective Heirs, Succeſſors and Aſſigns, for ever hereafter held and enjoyed, according to the purport and intent of ſuch reſpective grant, under and ſubject nevertheleſs to the rents and ſervices thereby reſerved or made payable; any matter or thing whatſoever to the contrary notwithſtanding. And provided alſo, that nothing herein contained ſhall extend, or be underſtood or taken, to impeach or prejudice any right, title, intereſt, or demand, which Samuel Allen of London, Merchant, claiming from and under John Maſon, Eſquire, deceaſed, or any other perſon or perſons, hath or have, or claimeth or claim, to have, hold or enjoy, of, in, to or out of any part or parts of the premiſes ſituate within the limits above-mentioned; but that the ſaid Samuel Allen, and all and every ſuch perſon and perſons, may and ſhall have, hold and enjoy the ſame, in ſuch manner (and no other than) as if theſe preſents had not been had or made; it being Our further Will and Pleaſure, that no grants or conveyances of any lands, tenements or hereditaments, to any towns, colleges, ſchools of learning, or to any private perſon or perſons, ſhall be judged or taken to be avoided or prejudiced for or by reaſon of any want or defect of form, but that the ſame ſtand and remain of force, and be maintained, adjudged, and have effect, in ſuch manner as the ſame ſhould or ought before the time of the ſaid recited judgment, according to the laws and rules then and there uſually practiſed and allowed. And we do further for Us, Our Heirs and Succeſſors, will, eſtabliſh, and ordain, That from henceforth for ever, there ſhall be One Governor, One Lieutenant or Deputy Governor, and One Secretary, of Our ſaid Province or Territory, to be from time to time appointed and commiſſionated by Us, Our Heirs and Succeſſors, and eight-and-twenty-Aſſiſtants or Counſellors, to be adviſing and aſſiſting to the Governor of Our ſaid Province or Territory for the time being as by theſe preſents is hereafter directed and appointed, which ſaid Council and Aſſiſtants are to be conſtituted, elected and choſen, in ſuch form and manner as hereafter in theſe preſents is expreſſed. And for the better execution of Our Royal Pleaſure and Grant in this behalf, We do, by theſe preſents, for Us, Our Heirs and Succeſſors, nominate, ordain, make and conſtitute, Our truſty and well-beloved Simon Broadſtreet, John Richards, Nathaniel Saltenſtall, Wait Winthrop, John Philips, James Ruſſell, Samuel Sewall, Samuel Apleton, Bartholomew Gedney, John Hawthorne, Eliſha Hutchins, Robert Pike, Jonathan Curwin, John Jolliffe, Adam Winthrop, Richard Middlecot, John Foſter, Peter Serjeant, Joſeph Lynd, Samuel Heyman, Stephen Maſon, Thomas Hinkely, William Bradford, John Walley, Barnabas Lowthrop, Job Alcott, Samuel Daniel, and Silvanus Davies, Eſquires, the firſt and preſent Counſellors or Aſſiſtants of Our ſaid Province, to continue in their ſaid reſpective offices or truſts of Counſellors or Aſſiſtants until the laſt Wedneſday in May, which ſhall be in the year of our Lord One thouſand Six hundred Ninety-three, and until other Counſellors or Aſſiſtants ſhall be choſen and appointed in their ſtead, in ſuch manner as in theſe preſents is expreſſed. And We do further, by theſe preſents, conſtitute and appoint Our truſty and well-beloved Iſaac Addington, Eſquire, to be Our firſt and preſent Counſellors or Aſſiſtants of Our ſaid province, to continue in their ſaid reſpective offices or truſts of Counſellors or Aſſiſtants, until the laſt Wedneſday in May, which ſhall be in the year of our Lord one thouſand ſix hundred ninety-three, and until other Counſellors or Aſſiſtants ſhall be choſen and appointed in their ſtead, in ſuch manner as in theſe preſents is expreſſed. And we do further, by theſe preſents, conſtitute and appoint Our truſty and well-beloved Iſaac Addington, Eſquire, to be Our firſt and preſent Secretary of Our ſaid province during Our pleaſure: And Our will and pleaſure is, that the Governor of our ſaid province, for the time being, ſhall have authority from time to time, at his diſcretion, to aſſemble and call together the Counſellors or Aſſiſtants of Our ſaid province, for the time being; and that the ſaid Governor, with the ſaid Aſſiſtants or Counſellors, or ſeven of them at leaſt, ſhall and may, from time to time, hold and keep a Council for the ordering and directing the affairs of Our ſaid province. And further, We will, and by theſe preſents for Us, Our heirs and ſucceſſors, do ordain and grant, that there ſhall and may be convened, held and kept, by the Governor for the time being, upon every laſt Wedneſday in the month of May every year for ever, and at all ſuch other times as the Governor of Our ſaid province ſhall think fit, and appoint a Great and General Court or Aſſembly, which ſaid Great and General Court or Aſſembly ſhall conſiſt of the Governor and Council or Aſſiſtants for the time being, and of ſuch freeholders of our ſaid province or territory as ſhall be from time to time elected or deputed by the major part of the freeholders, and other inhabitants of the reſpective towns or places, who ſhall be preſent at ſuch elections; each of the ſaid towns and places being hereby impowered to elect and depute two perſons, and no more, to ſerve for and repreſent them reſpectively in the ſaid Great and General Court or Aſſembly, to which Great and General Court or Aſſembly, to be held as aforeſaid, We do hereby for Us, Our heirs and ſucceſſors, give and grant full power and authority, from time to time,

to direct, appoint and declare, what number each county, town and place, ſhall elect and depute to ſerve for and repreſent them reſpectively in the ſaid Great and General Court or Aſſembly, provided always, that no freeholder, or other perſon, ſhall have a vote in the election of Members to ſerve in any Great and General Court or Aſſembly, to be held as aforeſaid, who, at the time of ſuch election, ſhall not have an eſtate of freehold in land, within Our ſaid province or territory, of the value of forty ſhillings per annum at leaſt, or other eſtate to the value of fifty pounds ſterling; and that every perſon who ſhall be ſo elected, ſhall, before he ſit or act in the ſaid Great and General Court or Aſſembly, take the oaths mentioned in an Act of Parliament made in the firſt year of Our reign, intituled, "An Act for the abrogating of the Oaths of Allegiance and Supremacy, and appointing other Oaths," and thereby appointed to be taken inſtead of the oaths of allegiance and ſupremacy; and ſhall make, repeat and ſubſcribe, the declaration mentioned in the ſaid act, before the Governor, or Lieutenant or Deputy-Governor, or any two of the aſſiſtants for the time being, who ſhall be thereunto authoriſed and appointed by Our ſaid Governor; and that the Governor, for the time being, ſhall have full power and authority from time to time, as he ſhall judge neceſſary, to adjourn, prorogue and diſſolve, all Great and General Courts or Aſſemblies met or convened as aforeſaid. And our will and pleaſure is, and We do hereby for Us, Our heirs and ſucceſſors, grant, eſtabliſh and ordain, that yearly, once in every year for ever hereafter, the aforeſaid number of eight and twenty Counſellors or Aſſiſtants ſhall be by the General Court or Aſſembly newly choſen; that is to ſay, eighteen at leaſt of the inhabitants or proprietors of lands within the territory formerly called the Colony of the Maſſachuſets Bay, and four at the leaſt of the inhabitants of, or proprietors of lands within the territory formerly called New Plymouth, and three at the leaſt of the inhabitants of, or proprietors of lands within the territory formerly called the Province of Main, and one at the leaſt of the inhabitants of, or proprietors of lands within the territory lying between the river Sagadahoc and Nova Scotia; and that the ſaid counſellors or aſſiſtants, or any of them, ſhall or may, at any time hereafter, be removed and diſplaced from their reſpective places or truſt of counſellors or aſſiſtants, by any greater General Court or Aſſembly; and that if any of the ſaid counſellors or aſſiſtants ſhall happen to die, or be removed as aforeſaid, before the general day of election, that then, and in every ſuch caſe, the great and general Court or Aſſembly, at their firſt ſitting, may proceed to a new election of one or more counſellors or aſſiſtants, in the room or place of ſuch counſellors or aſſiſtants ſo dying or removed. And We do further grant and ordain, that it ſhall and may be lawful for the ſaid Governor, with the advice and conſent of the council or aſſiſtants, from time to time to nominate and appoint Judges, Commiſſioners of Oyer and Terminer, Sheriffs, Provoſts, Marſhals, Juſtices of the Peace, and other Officers, to Our Council and Courts of Juſtice belonging: provided always that no ſuch nomination or appointment of officers be made without notice firſt given, or ſummons iſſued out, ſeven days before ſuch nomination or appointment, unto ſuch of the ſaid counſellors or aſſiſtants as ſhall be at that time reſiding within Our ſaid province. And Our Will and Pleaſure is, that the Governor, and Lieutenant or Deputy Governor, and Counſellors and Aſſiſtants, for the time being, and all other officers to be appointed or choſen as aforeſaid, ſhall before the undertaking the execution of their offices and places reſpectively, take their ſeveral and reſpective oaths for the due and faithful performance of their duties in their ſeveral and reſpective offices and places; as alſo the oaths appointed by the ſaid act of parliament, made in the firſt year of Our reign, to be taken inſtead of the oaths of allegiance and ſupremacy; and ſhall make, repeat and ſubſcribe the declaration mentioned in the ſaid act, before ſuch perſon or perſons as are by theſe preſents herein after appointed; (that is to ſay) the Governor of Our ſaid province or territory for the time being, ſhall take the ſaid oaths, and make, repeat and ſubſcribe the ſaid declaration, before the Lieutenant or Deputy Governor, or, in his abſence, before any two or more of the ſaid perſons hereby nominated and appointed the preſent Counſellors or Aſſiſtants of Our ſaid province or territory, to whom We do, by theſe preſents, give full power and authority to give and adminiſter the ſame to Our ſaid Governor accordingly; and after Our ſaid Governor ſhall be ſworn, and ſhall have ſubſcribed the ſaid declaration, that then Our Lieutenant, or Deputy Governor, for the time being, and the Counſellors, or Aſſiſtants, before by theſe preſents nominated and appointed, ſhall take the ſaid oaths, and make, repeat and ſubſcribe the ſaid declaration before Our ſaid Governor; and that every ſuch perſon or perſons as ſhall (at any time of the annual elections, or otherwiſe upon death or removal) be appointed to be the new Counſellors or Aſſiſtants, and all other Officers to be hereafter choſen from time to time, ſhall take the oaths to their reſpective offices and places belonging, and alſo the ſaid oaths appointed by the ſaid act of parliament to be taken inſtead of the oaths of allegiance and ſupremacy; and ſhall make, repeat, and ſubſcribe the declaration mentioned in the ſaid act, before the Governor, or Lieutenant Governor, or any two or more Counſellors or Aſſiſtants, or ſuch other perſon or perſons as ſhall be appointed thereunto by the Governor for the time being, to whom We do therefore, by theſe preſents, give full power and authority from time to time to give and adminiſter the ſame reſpectively according to Our true meaning herein before declared, without any commiſſion or further warrant to be had and obtained from Us, Our heirs and ſucceſſors, in that behalf. And our Will and Pleaſure is, and We do hereby require and command, that all and every perſon and perſons hereafter by Us, Our heirs and Succeſſors, nominated and appointed to the reſpective offices of Governor, or Lieutenant or Deputy Governor, and Secretary, of Our ſaid province or territory, which ſaid Governor, or Lieutenant or Deputy Governor, and Secretary, of Our ſaid province or territory, for the time being, We do hereby reſerve full power and authority to Us, Our heirs and ſucceſſors, to nominate and appoint accordingly, ſhall, before he or they be admitted to the execution of their offices,

fices, take as well the oaths for the due and faithful performance of the ſaid offices reſpectfully, as alſo the oaths appointed by the ſaid act of parliament, made in the ſaid firſt year of Our reign, to be taken inſtead of the ſaid oaths of allegiance and ſupremacy; and ſhall alſo make, repeat and ſubſcribe the declaration appointed by the ſaid act, in ſuch manner, and before ſuch perſons, as aforeſaid. And further, Our Will and Pleaſure is, and We do hereby for Us, Our heirs and ſucceſſors, grant, eſtabliſh and ordain, that all and every of the ſubjects of Us, Our heirs and ſucceſſors, which ſhall go to, and inhabit within Our ſaid Province and territory, and every of their children, which ſhall happen to be born there, or on the ſeas in going thither, or returning from thence, ſhall have and enjoy all liberties and immunities of free and natural ſubjects within any of the dominions of Us, Our Heirs and Succeſſors, to all intents, conſtructions and purpoſes whatſoever, as if they and every of them were born within this Our realm of England. And for the greater eaſe and encouragement of Our loving ſubjects inhabiting Our ſaid province or territory of the Maſſachuſets Bay, and of ſuch as ſhall come to inhabit there, We do, by theſe preſents, for Us, Our Heirs and Succeſſors, grant, eſtabliſh and ordain, that for ever hereafter, there ſhall be a liberty of conſcience allowed in the worſhip of God to all Chriſtians (except Papiſts) inhabiting, or which ſhall inhabit or be reſident, within Our ſaid province or territory. And We do hereby grant and ordain, that the Governor, or Lieutenant or Deputy Governor, of Our ſaid province or territory for the time being, or either of them, or any two or more of the Council or Aſſiſtants for the time being, as ſhall be thereunto appointed by the ſaid Governor, ſhall and may at all times, and from time to time hereafter, have full power and authority to adminiſter and give the oaths appointed by the ſaid Act of Parliament, made in the firſt year of our reign, to be taken inſtead of the oaths of allegiance and ſupremacy, to all and every perſon and perſons which are now inhabiting or reſiding within Our ſaid province or territory, or which ſhall at any time or times hereafter go or paſs thither. And We do, of Our further grace, certain knowledge, and mere motion, grant, eſtabliſh and ordain, for Us, Our Heirs and Succeſſors, that the Great and General Court or Aſſembly of Our ſaid province or territory for the time being, convened as aforeſaid, ſhall forever have full power and authority to erect and conſtitute Judicatories, and Courts of Record, or other Courts, to be held in the name of Us, Our Heirs and Succeſſors, for the hearing, trying and determining of all and all manner of crimes, offences, pleas, proceſſes, plaints, actions, matters, cauſes, and things whatſoever, ariſing or happening within Our ſaid province or territory, or between perſons inhabiting or reſiding there, whether the ſame be criminal or civil, and whether the ſaid crimes be capital or not capital, and whether the ſaid pleas be real, perſonal or mixt; and for the awarding and making out of execution thereupon; to which Courts and Judicatories, We do hereby for Us, Our Heirs and Succeſſors, give and grant full power and authority, from time to time, to adminiſter oaths, for the better diſcovery of truth in any matter in controverſy, or depending before them. And We do, for Us, Our Heirs and Succeſſors, grant, eſtabliſh and ordain, that the Governor of Our ſaid province or territory for the time being, with the Council or Aſſiſtants, may do, execute or perform all that is neceſſary for the probate of wills, and granting of adminiſtrations, for, touching or concerning any intereſt or eſtate, which any perſon or perſons ſhall have within our ſaid province or territory. And whereas we judge it neceſſary, that all Our ſubjects ſhould have liberty to appeal to Us, Our Heirs and Succeſſors, in caſes that may deſerve the ſame, We do by theſe preſents ordain, that in caſe either party do not reſt ſatisfied with the judgment or ſentence of any Judicatories or Courts within Our ſaid province or territory, in any perſonal action, wherein the matter in difference doth exceed the value of three hundred pounds ſterling, that then he or they may appeal to Us, Our Heirs and Succeſſors, in Our or their Privy Council, provided that ſuch appeal be made within fourteen days after the ſentence or judgment given; and that before ſuch appeal be allowed, ſecurity be given by the party or parties appealing, in the value of the matter in difference, to pay or anſwer the debt or damages, for the which judgment or ſentence is given, with ſuch coſts and damages as ſhall be awarded by Us, Our Heirs or Succeſſors, in caſe the judgment or ſentence be affirmed: And provided alſo, that no execution ſhall be ſtaid or ſuſpended by reaſon of ſuch appeal unto Us, Our Heirs and Succeſſors, in Our or their Privy Council, ſo as the party ſuing or taking out execution do in the like manner give ſecurity to the value of the matter in difference, to make reſtitution, in caſe the ſaid judgment or ſentence be reſerved or annulled, upon the ſaid appeal. And We do further, for Us, our Heirs and Succeſſors, give and grant to the ſaid Governor, and the Great or General Court or Aſſembly of Our ſaid province or territory, for the time being, full power and authority, from time to time, to make, ordain, and eſtabliſh all manner of wholeſome and reaſonable orders, laws, ſtatutes and ordinances, directions and inſtructions, either with penalties or without (ſo as the ſame be not repugnant or contrary to the laws of this Our realm of England) as they ſhall judge to be for the good and welfare of Our ſaid province or territory, and for the government and ordering thereof, and of the people inhabiting, or who ſhall inhabit the ſame, and for the neceſſary ſupport and defence of the government thereof. And We do for Us, Our Heirs and Succeſſors, give and grant, that the ſaid General Court or Aſſembly ſhall have full power and authority to name and ſettle annually, all civil Officers within the ſaid province, ſuch Officers excepted, the election and conſtitution of whom We have, by theſe preſents, reſerved to Us, Our Heirs and Succeſſors, or to the Governor of our ſaid province for the time being; and to ſet forth the ſeveral duties, powers and limits, of every ſuch officer to be appointed by the ſaid general Court or Aſſembly, and the forms of ſuch oaths, not repugnant to the laws and ſtatutes of this Our realm of England, as ſhall be reſpectively adminiſtered unto them for the execution of their ſeveral offices and places; and alſo to impoſe fines, mulcts, impriſonments, and other puniſhments, and to impoſe and

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levy proportionable and reaſonable aſſeſſments, rates and taxes, upon the eſtates and perſons of all and every the proprietors or inhabitants of Our ſaid province or territory, to be iſſued and diſpoſed of by warrant under the hand of the Governor of Our ſaid province for the time being, with the advice and conſent of the Council, for Our ſervice, in the neceſſary defence and ſupport of Our Government of Our ſaid province or territory, and the protection and preſervation of the inhabitants there, according to ſuch acts as are or ſhall be in force within Our ſaid province; and to diſpoſe of matters and things, whereby Our ſubjects, inhabitants of Our ſaid province, may be religiouſly, peaceably, and civilly governed, protected and defended, ſo as their good life, and orderly converſation, may win the Indians, natives of the country, to the knowledge and obedience of the only true God and Saviour of mankind, and the Chriſtian Faith, which his late Majeſty, Our Royal Grandfather, King Charles the Firſt, in his ſaid Letters Patents declared was his Royal intentions, and the adventurers free profeſſion to be the principal end of the ſaid plantation; and for the better ſecuring and maintaining liberty of conſcience hereby granted to all perſons at any time being and reſiding within Our ſaid province or territory as aforeſaid, willing, commanding, and requiring, and by theſe preſents for Us, Our heirs and ſucceſſors, ordaining and appointing, that all ſuch orders, laws, ſtatutes and ordinances, inſtructions and directions, as ſhall be ſo made and publiſhed under Our ſeal of Our ſaid province or territory, ſhall be carefully and duly obſerved, kept and performed, and put in execution, according to the true intent and meaning of theſe preſents. Provided always, and We do by theſe preſents for Us, Our heirs and ſucceſſors, eſtabliſh and ordain, That in the framing and paſſing of all ſuch orders, laws, ſtatutes and ordinances, and in all elections and acts of government whatſoever to be paſſed, made or done, by the ſaid General Court, or Aſſembly, or Council, the Governor of Our ſaid province or territory of the Maſſachuſets Bay in New-England, for the time being, ſhall have the negative voice; and that without his conſent or approbation, ſignified and declared in writing, no ſuch orders, laws, ſtatutes, ordinances, elections, or other acts of government whatſoever, ſo to be made, paſſed or done, by the ſaid General Aſſembly, or in Council, ſhall be of any force, effect or validity; any thing herein contained to the contrary in any wiſe notwithſtanding. And We do for Us, Our heirs and ſucceſſors, eſtabliſh and ordain, That the ſaid orders, laws, ſtatutes and ordinances, be by the firſt opportunity, after the making thereof, ſent or tranſmitted unto Us, Our heirs and ſucceſſors, under the public ſeal, to be appointed by Us, for Our or their approbation or diſallowance; and that in caſe all or any of them ſhall at any time within the ſpace of three years next after the ſame ſhall have been preſented to Us, Our heirs and ſucceſſors, in Our or their Privy Council, be diſallowed and rejected, and ſo ſignified by Us, Our heirs and ſucceſſors, under Our or their Sign Manual and Signet, or by Order in our or their Privy Council unto the Governor for the time being, then ſuch and ſo many of them as ſhall be ſo diſallowed and rejected ſhall thenceforth ceaſe and determine, and become utterly void, and of none effect: Provided always, that in caſe We, Our heirs or ſucceſſors, ſhall not within the term of three years after the preſenting of ſuch orders, laws, ſtatutes or ordinances, as aforeſaid, ſignify Our or their diſallowance of the ſame, then the ſaid orders, laws, ſtatutes or ordinances, as aforeſaid, ſignify Our or their diſallowance of the ſame, then the ſaid orders, laws, ſtatutes or ordinances, ſhall be and continue in full force and effect, according to the true intent and meaning of the ſame, until the expiration thereof, or that the ſame ſhall be repealed by the General Aſſembly of Our ſaid province for the time being: Provided alſo, that it ſhall and may be lawful for the ſaid Governor and General Aſſembly, to make or paſs any grant of lands lying within the bounds of the colonies formerly called the colonies of the Maſſachuſets Bay and New Plymouth, and province of Main, in ſuch manner as heretofore they might have done by virtue of any former charter or letters patents; which grants of lands, within the bounds aforeſaid, We do hereby will and ordain to be and continue for ever of full force and effect, without Our further approbation or conſent; and ſo as nevertheleſs, and it is Our Royal will and pleaſure, That no grant or grants of any lands, lying or extending from the river of Sagadehock to the gulf of St. Laurence and Canada rivers, and to the main ſea Northward and Eaſtward, to be made or paſſed by the Governor and General Aſſembly of Our ſaid province, be of any force, validity or effect, until We, Our heirs and ſucceſſors, ſhall have ſignified Our or their approbation of the ſame. And We do by theſe preſents for Us, our heirs and ſucceſſors, grant, eſtabliſh and ordain, That the Governor of Our ſaid province or territory, for the time being, ſhall have full power by himſelf, or by any chief commander, or other officer or officers, to be appointed by him from time to time, to frame, inſtruct, exerciſe and govern, the militia there, and for the ſpecial defence and ſafety of Our ſaid province or territory to aſſemble in martial array, and put in warlike poſture, the inhabitants of Our ſaid province or territory, and to lead and conduct them, and with them to encounter, expulſe, repel, reſiſt, and purſue, by force of arms, as well as by ſea as by land, within or without the limits of Our ſaid province or territory, and alſo to kill, ſlay, deſtroy, and conquer, by all fitting ways, enterprizes, and means whatſoever, all and every ſuch perſon or perſons as ſhall at any time hereafter attempt or enterprize the deſtruction, invaſion, detriment or annoyance, of Our ſaid province or territory; and to uſe and exerciſe the law martial in time of actual war, invaſion or rebellion, as occaſion ſhall neceſſarily require; and alſo from time to time to erect forts, and to fortify any place or places, within Our ſaid province or territory, and the ſame to furniſh with all neceſſary ammunition, proviſions, and ſtores of war, for offence or defence, and to commit from time to time the cuſtody and government of the ſame to ſuch perſon or perſons as to him ſhall ſeem meet; and the ſaid forts and fortifications to demoliſh at his pleaſure; and to take and ſurpriſe by all ways and means whatſoever, all and every ſuch perſon or perſons,

ſons, with their ſhips, arms, ammunition, and other goods, as ſhall in a hoſtile manner invade, or attempt the invading, conquering or annoying of Our ſaid province or territory: provided always, and We do, by theſe preſents, for Us, Our heirs and ſucceſſors, grant, eſtabliſh and ordain, That the ſaid Governor ſhall not at any time hereafter, by virtue of any power hereby granted, or hereafter to be granted to him, tranſport any of the inhabitants of Our ſaid province or territory, or oblige them to march out of the limits of the ſame, without their free and voluntary conſent, or the conſent of the Great and General Court or Aſſembly of Our ſaid province or territory, nor grant commiſſions for exerciſing the law martial upon any of the inhabitants of Our ſaid province or territory, without the advice and conſent of the Council or Aſſiſtants of the ſame: provided in like manner, and We do, by theſe preſents, for Us, Our heirs and ſucceſſors, conſtitute and ordain, That when, and as often as the Governor of Our ſaid province for the time being ſhall happen to die, or be diſplaced by Us, Our heirs or ſucceſſors, or be abſent from his government, that then, and in any of theſe caſes, the Lieutenant or Deputy Governor of our ſaid province for the time being ſhall have full power and authority to do and execute all and every ſuch acts, matters and things, which Our Governor of Our ſaid province for the time being might or could, by virtue of theſe Our Letters Patents, lawfully do or execute, if he were perſonally preſent, until the return of the Governor ſo abſent, or arrival or conſtitution of ſuch other Governor as ſhall or may be appointed by Us, Our heirs or ſucceſſors, in his ſtead; and that when and as often as the Governor, and Lieutenant or Deputy Governor of Our ſaid province or territory, for the time being, ſhall happen to die, or be diſplaced by Us, Our heirs or ſucceſſors, or be abſent from Our ſaid province, and that there ſhall be no perſon within the ſaid province commiſſionated by Us, Our heirs or ſucceſſors, to be Governor within the ſame, then, and in every of the ſaid caſes, the Council or Aſſiſtants of Our ſaid province ſhall have full power and authority, and We do hereby give and grant unto the ſaid Council or Aſſiſtants of our ſaid province for the time being, or the major part of them, full power and authority to do and execute all and every ſuch acts, matters and things, which the ſaid Governor, or Lieutenant or Deputy Governor, of Our ſaid province or territory, for the time being, might or could lawfully do or exerciſe, if they or either of them were perſonally preſent, until the return of the Governor, or Lieutenant or Deputy Governor, ſo abſent, or arrival or conſtitution of ſuch other Governor, or Lieutenant or Deputy Governor, as ſhall or may be appointed by Us, Our heirs or ſucceſſors, from time to time; provided always, and it is hereby declared, that nothing herein contained ſhall extend or be taken to erect, or grant, or allow the exerciſe of any Admiralty-Court, juriſdiction, power or authority, but that the ſame ſhall be and is hereby reſerved to Us and Our ſucceſſors, and ſhall from time to time be erected, granted and exerciſed by virtue of commiſſions to be iſſued under the Great Seal of England, or under the Seal of the High Admiral, or the Commiſſioners for executing the office of High Admiral of England. And further, Our expreſs will and pleaſure is, and We do by theſe preſents for Us, Our heirs and ſucceſſors, ordain and appoint, That theſe our Letters Patent ſhall not in any manner enure or be taken to abridge, bar or hinder, any of our loving ſubjects whatſoever, to uſe and exerciſe the trade of fiſhing upon the coaſts of New England, but that they, and every of them, ſhall have full and free power and liberty to continue and uſe the ſaid trade of fiſhing upon the ſaid coaſts, in any of the ſeas thereunto adjoining, or any arms of the ſaid ſeas or ſalt-water rivers, where they have been wont to fiſh; and to build and ſet upon the lands, within Our ſaid province or colony, lying waſte, and not then poſſeſſed by particular proprietors, ſuch wharfs, ſtages and work-houſes, as ſhall be neceſſary for the ſalting, drying, keeping and packing of their fiſh, to be taken or gotten upon that coaſt, and to cut down and take ſuch trees and other materials there growing, or being upon any parts or places lying waſte, and not then in poſſeſſion of particular proprietors, as ſhall be needful for that purpoſe, and for all other neceſſary eaſements, helps and advantages, concerning the ſaid trade of fiſhing there, in ſuch manner and form as they have been heretofore at any time accuſtomed to do, without making any wilful waſte or ſpoil; any thing in theſe preſents contained to the contrary notwithſtanding. And laſtly, for the better providing and furniſhing of maſts for Our royal navy, We do hereby reſerve to Us, Our Heirs and Succeſſors, all trees of the diameter of twenty-four inches, and upwards of twelve inches from the ground, growing upon any ſoil or tract of land within Our ſaid province or territory, not heretofore granted to any private perſons; and We do reſtrain and forbid all perſons whatſoever from felling, cutting or deſtroying any ſuch trees without the royal licence of Us, Our Heirs and Succeſſors, firſt had and obtained, upon penalty of forfeiting one hundred pounds ſterling unto Us, Our Heirs and Succeſſors, for every ſuch tree ſo felled, cut or deſtroyed, without ſuch licence had and obtained in that behalf; any thing in theſe preſents contained to the contrary in any wiſe notwithſtanding. In witneſs, &c. Witneſs Ourſelves at Weſtminſter the ſeventh day of October.

By Writ of Privy Seal.